IN THE HIGH COURT OF JUDICATURE AT PATNA
***Cr.Misc. No.38242 of 2008***
SHIVJI YADAV
S/O-Late Ram Balak Yadav, R/O-Vill-Tartar, P.S.-Ghoswari, Distt.-Patna.
.....Petitioner.
Versus
STATE OF BIHAR
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2/ 25.11.2008 Heard learned Counsel for the petitioner and learned Counsel appearing on behalf of the State.

The petitioner seeks bail in a case which has been registered under Sections 409, 329, 120B/34 of the Indian Penal Code.

Altogether four Home Guards who were posted in Mokama Referal Hospital are named accused. There is allegation that 7 rifles and 20 cartridges were embezzled in a planned way. Complicity of the Home Guards in the alleged occurrence is available in the case diary.

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Submission is that the petitioner was not posted as Hawildar. He is in custody since 12.10.2007. Vidya Prasad @ Bidya Prasad was posted as Home Guards in the Mokama Referal Hospital has been granted bail by this Court vide Cr. Misc. No. 4900 of 2008 on 22.05.2008. Other similarly situated accused persons have also been granted bail by this Court by different orders.

Considering the facts and circumstances of the case, the petitioner Shivji Yadav is ordered to be released

on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M., Barh, Patna in connection with Mokama P.S. Case No. 73 of 2007.

*kksinha/* **(Shyam Kishore Sharma, J.)**

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